

LEGISLATURE OF NEBRASKA

NINETY-NINTH LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 832

Introduced by McDonald, 41; Baker, 44; Langemeier, 23

Read first time January 4, 2006

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend section 60-4,124,
2 Revised Statutes Supplement, 2005; to provide for the
3 impoundment of school permits; to repeal the original
4 section; and to declare an emergency.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-4,124, Revised Statutes Supplement,
2 2005, is amended to read:

3 60-4,124 (1) A person who is younger than sixteen years
4 of age but is over fourteen years and two months of age may
5 be issued, by the county treasurer, a school permit if such
6 person lives a distance of one and one-half miles or more
7 from the school he or she attends and either resides outside
8 a city of the metropolitan, primary, or first class or attends
9 a school which is outside a city of the metropolitan, primary,
10 or first class and if such person has held an LPE-learner's
11 permit for two months. A school permit shall not be issued
12 until such person has appeared before an examiner to demonstrate
13 that he or she is capable of successfully operating a motor
14 vehicle, moped, or motorcycle and has in his or her possession an
15 examiner's certificate authorizing the county treasurer to issue a
16 school permit. In order to obtain an examiner's certificate, the
17 applicant shall present to the examiner (a) proof of successful
18 completion of a department-approved driver safety course which
19 includes behind-the-wheel driving specifically emphasizing (i) the
20 effects of the consumption of alcohol on a person operating a motor
21 vehicle, (ii) occupant protection systems, (iii) risk assessment,
22 and (iv) railroad crossing safety and (b) (i) proof of successful
23 completion of a written examination and driving test administered
24 by a driver safety course instructor or (ii) a certificate in a
25 form prescribed by the department, signed by a parent, guardian, or

1 licensed driver at least twenty-one years of age, verifying that
2 the applicant has completed fifty hours of lawful motor vehicle
3 operation, under conditions that reflect department-approved driver
4 safety course curriculum, with a parent, guardian, or adult at
5 least twenty-one years of age, who has a then current Nebraska
6 operator's license or who is licensed in another state. The
7 Department of Motor Vehicles shall waive the written examination
8 if the applicant surrenders an LPE-learner's permit issued after
9 January 1, 2006, and if such permit is valid or has expired no more
10 than one year prior to application. The written examination shall
11 not be waived if the permit being applied for contains a class or
12 endorsement which is different from the class or endorsement of the
13 LPE-learner's permit.

14 (2) A person holding a school permit may operate a motor
15 vehicle, moped, or motorcycle:

16 (a) To and from where he or she attends school and
17 between schools of enrollment over the most direct and accessible
18 route by the nearest highway from his or her place of residence
19 to transport such person or any family member who resides with
20 such person to attend duly scheduled courses of instruction and
21 extracurricular or school-related activities at the school he or
22 she attends; or

23 (b) Under the personal supervision of a licensed
24 operator. Such licensed operator shall be at least twenty-one years
25 of age and licensed by this state or another state and shall

1 actually occupy the seat beside the permitholder or, in the case of
2 a motorcycle or moped, if the permitholder is within visual contact
3 of and under the supervision of, in the case of a motorcycle, a
4 licensed motorcycle operator or, in the case of a moped, a licensed
5 motor vehicle operator.

6 (3) A person who is younger than sixteen years of age but
7 is over fourteen years of age may be issued an LPE-learner's permit
8 from the county treasurer, which permit shall be valid for a period
9 of three months. An LPE-learner's permit shall not be issued until
10 such person successfully completes a written examination prescribed
11 by the department and demonstrates that he or she has sufficient
12 powers of eyesight to safely operate a motor vehicle, moped, or
13 motorcycle.

14 (4) While holding the LPE-learner's permit, the person
15 may operate a motor vehicle on the highways of this state if he
16 or she has seated next to him or her a person who is a licensed
17 operator or, in the case of a motorcycle or moped, if he or she is
18 within visual contact of and is under the supervision of a person
19 who, in the case of a motorcycle, is a licensed motorcycle operator
20 or, in the case of a moped, is a licensed motor vehicle operator.
21 Such licensed motor vehicle or motorcycle operator shall be at
22 least twenty-one years of age and licensed by this state or another
23 state.

24 (5) The county treasurer shall collect the fee prescribed
25 in section 60-4,115 from each successful applicant for a school

1 or LPE-learner's permit. All school permits shall be subject to
2 impoundment or revocation under the terms of section 60-496. Any
3 person who violates the terms of a school permit shall be guilty
4 of an infraction and shall not be eligible for another operator's
5 license or school, farm, LPD-learner's, or LPE-learner's permit
6 until he or she has attained the age of sixteen years.

7 Sec. 2. Original section 60-4,124, Revised Statutes
8 Supplement, 2005, is repealed.

9 Sec. 3. Since an emergency exists, this act takes effect
10 when passed and approved according to law.